



#4  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Johannes M.F.G. Aerts

Examiner: Unassigned

Serial No.: 09/977,827

Group Art Unit: 1652

Filed: October 15, 2001

Docket: 294-32 DIVII/CON

For: A Human Chitinase, Its  
Recombinant  
Production, Its Use For  
Decomposing

Dated: December 11, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

*I hereby certify this correspondence is being  
deposited with the United States Postal Service as  
first class mail, postpaid in an envelope,  
addressed to: Assistant Commissioner for  
Patents, Washington, D.C.  
20231 on December 11, 2001*

Signature: Michelle Ruppel

**TRANSMITTAL OF SEQUENCE LISTING  
AND COMPUTER-READABLE FORM**

Sir:

In response to the Office Communication mailed November 8, 2001 and pursuant to 37 CFR §1.821(c), (e) and (f), Applicants are submitting herewith a Sequence Listing and the Sequence Listing in computer-readable form. The information recorded in computer-readable form is identical to the written Sequence Listing recited in the Specification of the above-identified application. The computer-readable form does not include new matter. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures is enclosed.

Respectfully submitted,

Edna I. Gergel

Edna I. Gergel, Ph.D.  
Registration No.: P-50,819  
Agent for Applicant

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(516) 822-3550  
EIG/nr  
146122

RECEIVED  
FEB 28 2002  
TECH CENTER 1600/2900

2. **Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)**

- ☒ This new application claims the benefit of prior U.S. application(s).
- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_, filed on \_\_\_\_\_."
- ☒ "This application is a
- ☒ continuation
- ☐ continuation-in-part
- ☐ divisional of copending application
- ☒ Serial No. **09/343,623**, filed on **June 30, 1999**."
- ☐ International Application No. \_\_\_\_\_, filed on \_\_\_\_\_, and which designated the U.S."
- ☐ A Preliminary Amendment is enclosed amending this application to state the relation of this application to prior applications.
- ☐ The relation of this application to prior applications is stated in the application.

3. **35 U.S.C. 119(a)-(d) or 35 U.S.C. 365(a)-(b) Foreign Priority Claim for Prior Application**

This application, and prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 2, claim(s) priority from one or more foreign applications as follows:

(Country)	(Application No.)	(Filing Date) (mm/dd/yyyy)

- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "The application claims priority from Application No. \_\_\_\_\_ filed on \_\_\_\_\_."

Certified copy(ies) of the application(s) from which priority under 35 U.S.C. 119 is claimed:

- ☐ has(have) been filed on \_\_\_\_\_, in prior application \_\_\_\_\_, which was filed on \_\_\_\_\_.
- ☐ is (are) enclosed.
- ☐ will follow.

4. **Enclosed Papers Required to Obtain Application Filing Date under 37 C.F.R. 1.53(b)**

<u>37</u>	Pages of Specification		
<u>4</u>	Pages of Claims		
<u>1</u>	Pages of Abstract		
<u>5</u>	Sheets of Drawings	<input type="checkbox"/> Formal	<input type="checkbox"/> Informal

5. **Oath or Declaration**

- ☐ Newly executed Oath or Declaration (original or copy) is enclosed.
- ☒ Copy of Oath or Declaration from prior continuation or divisional application **09/343,623** (37 C.F.R. 1.63(d)).
- ☒ The entire disclosure of the prior application, from which a copy of the oath or Declaration is supplied, is considered as being a part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ A Power of Attorney is included in the Oath or Declaration.
- ☐ Not enclosed.

6. **Additional Papers Enclosed**

- ☒ Return Receipt Postcard (specifically itemized) (M.P.E.P. § 503).
- ☐ Application Data Sheet (Voluntary under 37 C.F.R. 1.76).
- ☐ Preliminary Amendment.
- ☐ Information Disclosure Statement (37 C.F.R. 1.98).
- ☐ Form PTO-1449 ☐ Copies of IDS Citations
- ☐ Nucleotide and/or Amino Acid Sequence Listing computer-readable copy, paper copy, and statement verifying identity of computer-readable and paper copies.
- ☐ Certified Copy of Priority Document(s).
- ☐ Verified translation of non-English language application (37 C.F.R. 1.52(d)).
- ☐ Other: \_\_\_\_\_.

**7. Assignment**

- ☐ An assignment of the invention to \_\_\_\_.
- ☐ is enclosed. A separate:
- ☐ "Cover Sheet for Assignment (Document) Accompanying New Patent Application" is enclosed.
- ☐ Form PTO-1595 is enclosed.
- ☒ was made in prior application No. 09/343,623, filed on June 30, 1999.
- ☒ A copy of the assignment (and any recordation cover sheet) is enclosed.
- ☐ will follow.
- ☐ Not enclosed.

**8. Request That Application Not Be Published Pursuant to 35 U.S.C. 122(b)(2)**

- ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant(s) hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.